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FM AMEMBASSY LA PAZ
TO RUEHC/SECSTATE WASHDC PRIORITY 2489
INFO RUEHAC/AMEMBASSY ASUNCION 6542
RUEHBO/AMEMBASSY BOGOTA 3865
RUEHBR/AMEMBASSY BRASILIA 7750
RUEHBW/AMEMBASSY BUENOS AIRES 4995
RUEHCV/AMEMBASSY CARACAS 2234
RUEHPE/AMEMBASSY LIMA 2330
RUEHMD/AMEMBASSY MADRID 3320
RUEHMN/AMEMBASSY MONTEVIDEO 4410
RUEHQD/AMEMBASSY QUITO 4877
RUEHSG/AMEMBASSY SANTIAGO 9465
RUEHSM/AMEMBASSY STOCKHOLM 0165
RUEHTC/AMEMBASSY THE HAGUE 0746
RUEHBS/USEU BRUSSELS
RUEHC/DEPT OF LABOR WASHINGTON DC
RUEHRC/USDA FAS WASHDC
RHMFIUU/HQ USSOUTHCOM MIAMI FL
RUMIAAA/USCINCSO MIAMI FL
RUEHUB/USINT HAVANA 0150
RUEHNNSC/NSC WASHINGTON DC
RHEBAAA/DEPT OF ENERGY WASHINGTON DC
RUCPDOC/DEPT OF COMMERCE WASHINGTON DC
RUEATRS/DEPT OF TREASURY WASHINGTON DC

UNCLAS LA PAZ 000411

SIPDIS

SENSITIVE
SIPDIS

STATE FOR WHA/AND
TREASURY FOR SGOOCH
ENERGY FOR CDAY AND SLADISLAW
LIMA FOR EPHILOWER

E.O. 12958: N/A

TAGS: [EAGR](#) [ECON](#) [PGOV](#) [SOCI](#) [BL](#)
SUBJECT: CEJIS: LEFTIST LAND LAWYERS' INFLUENCE IN THE GOB

REF: A. 2006 LA PAZ 1517

[B.](#) 2006 LA PAZ 3244

Summary

[11.](#) (SBU) Three former employees of the Center for Legal Studies and Social Research (CEJIS), a non-profit organization in Santa Cruz working to promote indigenous land rights, were named members of the GOB's cabinet in January, indicating the government's focus on land reform. A CEJIS representative said that the new land reform law passed in November (ref B) "opened the dykes" for free access to land and argued that the changes would benefit the people who work the land and help resolve social inequities. CEJIS' next step will be to work with Constituent Assembly members to promote constitutional reforms, including the creation of indigenous territorial entities that would have their own governmental and legal systems, without the interference of departmental governments. End summary.

CEJIS Affiliates Join GOB Cabinet

[12.](#) (SBU) The Center for Legal Studies and Social Research (CEJIS) is a non-profit organization founded in 1978 in Santa Cruz to promote human rights and democracy. Since 1985, the organization has focused on indigenous land rights, offering

legal aid for titling procedures, and drafting proposals for legal reform. The organization receives funding from the European Union, Holland, Sweden, and Oxfam International. On January 23, President Morales named seven new members to his 16 person cabinet. Two of the new members -- Minister of Government Alfredo Rada and Minister of Rural Development Susana Rivero -- plus existing Mining Minister Guillermo Dalence were previously affiliated with CEJIS. The inclusion of three CEJIS affiliates as cabinet members indicates the government's focus on land reform issues. Another CEJIS affiliate, Carlos Romero, heads the Constituent Assembly's Commission on Natural Resources, Land, and Territory.

Violent Tendencies on Both Sides

¶13. (SBU) CEJIS has close links with the Landless Movement (Movimiento Sin Tierra), which has frequently been involved in violent clashes with land-owners resulting from movement members' attempts to take over lands by physically occupying them. Amnesty International reports that CEJIS lawyers, including Tamburini, have been threatened and harassed by the police and cattle ranchers when attempting to provide legal services to local indigenous communities and migrant peasants. It is unclear if CEJIS supports the use of violence as a means to an end, but several posters of Che Guevara hanging in its office suggest that it supports a revolutionary approach.

CEJIS Involved in GOB Land Reforms

¶14. (SBU) In a meeting on February 8, CEJIS President Leonardo Tamburini told Econoff that the organization was involved in negotiating the seven decrees issued by the GOB in June 2006 to redistribute 4 million hectares of government land (ref A) and the revisions to the land reform (INRA) law that were passed by congress in November 2006 (ref B). He said that the productive sector had been involved in negotiating the reforms, but that large landowners had politicized the process and stopped discussions.

INRA Law Reforms "Opened the Dykes" for Redistribution

¶15. (SBU) Tamburini described the INRA law reforms as "opening the dykes for free access to land," as now there are three tools for accessing land -- titling, reversion of unproductive properties (which could benefit migrant, western indigenous people), and expropriation of properties, with compensation, for the benefit of the original, eastern indigenous inhabitants. He explained that the World Bank Pro Tierras program would provide funds for indemnifying property owners. The changes, he argued, would benefit the people who work the land and help resolve social inequities. He indicated that CEJIS was in line with the government's idea that only work, capital investment, or social purposes should entitle one to land rights, not merely paying taxes.

Legal Reforms Not Yet Implemented

¶16. (SBU) Tamburini said that the government has granted collective titles to three indigenous groups, based on the June decrees, but has not completed the redistribution of government lands and has not begun implementing the reforms to the INRA law. The government is now drafting implementing regulations for the law, he explained. He said that the government is also adjusting the forestry regulations to decrease asymmetries of access and distribution. In addition to changes in the legal framework, the GOB's agrarian revolution also includes efforts to open markets for small producers -- he cited the People's Trade Agreement with Venezuela -- and provide low-interest rate credit through

Venezuelan capital. He said that two communities in rural Santa Cruz had already made sales based on the trade agreement. (Note: Officials from the Santa Cruz Agriculture Chamber told Econoff in September that the Venezuelan government had purchased roughly one percent of total soy production, although it planned to buy another 8 percent, but that the soy was purchased for above market prices from small producers who supported the GOB, creating disruptions in the local grain market. End note.)

CEJIS' Proposals for Constitution

¶7. (SBU) Tamburini said that CEJIS' next step would be to work with Constituent Assembly members to promote constitutional reforms. CEJIS promotes the creation of indigenous territorial entities that would have their own governmental and legal systems (somewhat like reservations), without the interference of departmental governments. Tamburini said that in addition to these special territories, private, individual lands for personal and business uses would continue to coexist. Natural resources below the ground would continue to belong to the state; however, indigenous people living in effected areas should be consulted regarding hydrocarbons and mining projects. CEJIS also promotes the reform of the regulatory system through the creation of administrative tribunals, like the agrarian tribunals created by the INRA law reforms (ref B). CEJIS also supports clauses in the new constitution that would promote food sovereignty and ban the production of genetically-modified food. (Note: GMO soy is currently being produced in Santa Cruz based on a decree issued by President Mesa authorizing the production. End note.)

Comment

¶8. (SBU) The small NGO CEJIS, with its humble office in Santa Cruz, seems to exercise disproportionate power over GOB planning and ideology. The government's inclusion of three former CEJIS employees in the cabinet suggests that land reform and the redistribution of properties will be an important focus of the government this year. CEJIS' proposed constitutional reforms seem to be in line with the government's thinking, and thus, may indicate the changes that are to come in the areas of land dominion, regulation of natural resource industries, and food sovereignty. End comment.

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